

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

**COMMONWEALTH SCIENTIFIC AND
INDUSTRIAL RESEARCH
ORGANISATION**

Plaintiff

vs.

**TOSHIBA AMERICA INFORMATION
SYSTEMS, INC., NINTENDO OF
AMERICA, INC., FUJITSU COMPUTER
SYSTEMS CORPORATION, ASUS
COMPUTER INTERNATIONAL, D-
LINK SYSTEMS, INC., BELKIN
CORPORATION, ACCTON
TECHNOLOGY CORPORATION USA,
SMC NETWORKS, INC., and 3COM
CORPORATION**

Defendants

**CASE NO. 6:06 CV 550
PATENT CASE**

ORDER

Defendants' Petition for a Letter of Request for International Judicial Assistance (Docket No. 359) is before the Court. The Court **DENIES** the request. Defendants seek to take a second day of deposition testimony from Dr. Skellern. Dr. Skellern was previously deposed on October 24, 2007. He is not a party to this suit, nor is he employed by a party to this suit. Defendants have not shown why, nearly a year later, they need to take his deposition again. Defendants have not shown good cause for why his deposition could not have been completed in a single day or for why they waited so long to seek a second day of deposition from him. A second day of deposition will put a tremendous burden on all parties to travel to Australia this close to the end of discovery.

Accordingly, the Court **DENIES** the request.

So ORDERED and SIGNED this 2nd day of October, 2008.

A handwritten signature in black ink, appearing to read "LEONARD DAVIS". The signature is fluid and cursive, with a large loop at the top and a horizontal line at the bottom.

**LEONARD DAVIS
UNITED STATES DISTRICT JUDGE**